

**ORDINANCE NO. 20080214-083**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1309 CHICON STREET IN THE CHESTNUT NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-NEIGHBORHOOD PLAN (LR-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood commercial-neighborhood plan (LR-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2007-0136, on file at the Neighborhood Planning and Zoning Department, as follows:

Lots 9 and 10, Block 8, Habicht Addition of Outlot 34, Division B, City of Austin, Travis County, Texas, according to the map or plat of record in Volume 1, Page 43, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 1309 Chicon Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, the mixed use (MU) combining district, and other applicable requirements of the City Code.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

B. The following uses are prohibited uses of the Property:

Automotive repair services  
Automotive sales  
Bail bond services  
Day care services (commercial)  
Day care services (limited)  
Exterminating services  
Hospital services (general)  
Indoor sports and recreation  
Outdoor entertainment  
Plant nursery  
Service station

Automotive rentals  
Automotive washing (of any type)  
Consumer repair services  
Day care services (general)  
Drop-off recycling collection facility  
Funeral services  
Hospital services (limited)  
Medical offices (of any type)  
Pawn shop services  
Residential treatment

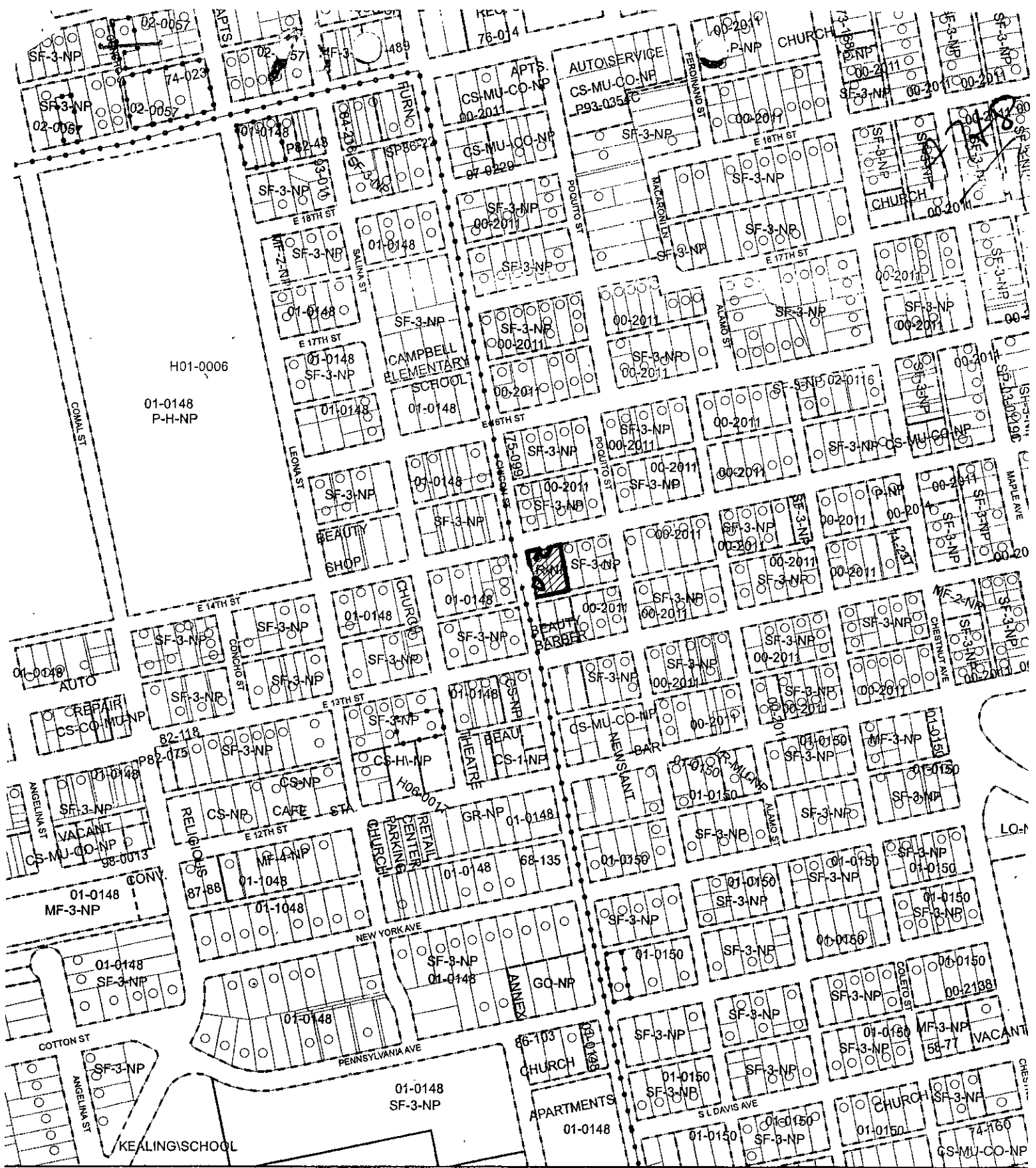
**PART 4.** The Property is subject to Ordinance No. 001207-047 that established the Chestnut neighborhood plan combining district.

**PART 5.** This ordinance takes effect on February 25, 2008.

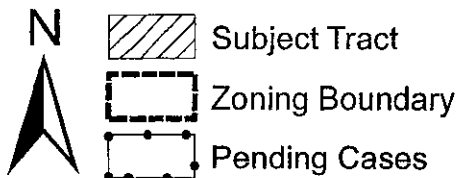
**PASSED AND APPROVED**

\_\_\_\_\_, February 14, 2008      §  
   §  
   § \_\_\_\_\_  
   Will Wynn  
   Mayor

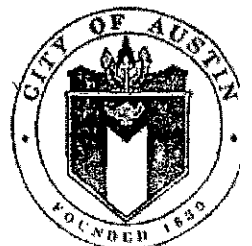
**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
                                 David Allan Smith                                   Shirley A. Gentry  
                                 City Attorney                                   City Clerk



# ZONING EXHIBIT A



ZONING CASE#: C14-2007-0136  
 ADDRESS: 1309 CHICON ST  
 SUBJECT AREA: 0.358 ACRES  
 GRID: K23  
 MANAGER: R. HEIL



1" = 400' OPERATOR: SM

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.